



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

#14

In re the application of)	Examiner: S. Jackson
)	
Inventors: Lilip Lau, William Hartigan,)	Group Art Unit: 3738
John J. Frantzen)	
)	Docket No. ACS 48047 (3807.2)
Division of U.S. Serial No. 09/055,582)	
)	
Filed: April 6, 1998)	Express Mail No. EL146136435US
)	
For: EXPANDABLE STENTS AND)	Los Angeles, California
METHOD FOR MAKING SAME)	November 30, 1999

TERMINAL DISCLAIMER

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

The owner, Advanced Cardiovascular Systems, Inc., of 100% interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent No. 5,514,154 filed July 28, 1994. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory

term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Pursuant to 37 C.F.R. § 1.20(d) our check in the amount of \$110 is enclosed for the terminal disclaimer fee. Please charge any additional fees or credit any overpayment to Deposit Account No. 06-2425. A duplicate of this letter is enclosed.

Respectfully submitted,

FULWIDER PATTON LEE & UTECHT, LLP

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JSN:RP
Enclosures

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